

ORDINANCE NO. 454

AN ORDINANCE TO PROHIBIT THE USE OF SMOKING MATERIALS IN
ALL BUILDINGS BELONGING TO THE CITY OF HANCEVILLE.

WHEREAS, the United States Surgeon General has concluded that involuntary smoking is a cause of disease, including lung cancer, in non-smokers; and

WHEREAS, the United States Environmental Protection Agency has released its report on the harmful effects of second hand smoke and the critical need for regulations to protect non-smokers health; and

WHEREAS, the possession of lighted smoking materials in public places is a nuisance and is hazardous to the public health, safety, comfort, convenience and indoor environment; and

WHEREAS, the City Council of the City of Hanceville, Alabama finds that it is necessary to prohibit smoking in certain public buildings to protect the public safety, health, and welfare of its citizens.

BE IT ORDAINED by the City Council of the City of Hanceville, Alabama, as follows:

SECTION 1. This ordinance shall apply to the use of smoking materials inside of public buildings within the city limits of the City of Hanceville, Alabama.

SECTION 2. For the purposes of this Ordinance, the following terms shall have the following meanings:

PUBLIC BUILDINGS: All buildings belonging to the City of Hanceville, including any building, structure, or facility which is owned and/or occupied by the City of Hanceville. Public buildings shall include, but are not limited to the City Hall, Police Department facilities, Fire Stations No. 1, 2, and 3, Courtroom, Library, Water & Sewer Department, and City Barn.

USE OF SMOKING MATERIALS: Shall include the carrying, holding, or possession of lighted smoking materials in any form, including but not limited to, the possession of lighted cigarettes, cigars, pipes, or other tobacco products.

SECTION 3. The provisions of this Ordinance are enforceable by any duly sworn police officer employed by the City of Hanceville or as otherwise allowed by law for the prosecution of offenses.

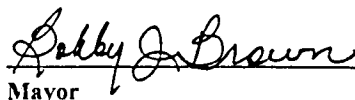
SECTION 4. Any person, who uses smoking materials or other tobacco products inside of a building where smoking is prohibited under this Ordinance, shall be guilty of an "offense" and shall be subject to punishment by a fine of not less than Fifty and No/100 Dollars (\$50.00) nor more than Five Hundred and No/100 Dollars (\$500.00) for each such "offense."

SECTION 5. Each and every day that any person shall use smoking materials or other tobacco products inside of a public building as defined in this Ordinance shall be and constitute a distinct and separate offense.

SECTION 6. If any part, section, phrase, or word of this Ordinance is held to be unconstitutional or void for whatever reason, the remainder of said Ordinance shall remain in full force and effect.

SECTION 7. This Ordinance shall become effective upon its passage as provided by law.

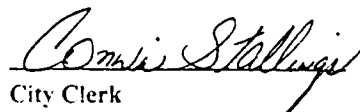
This 11th day of November, 1996.



Mayor

City of Hanceville

ATTEST:



City Clerk